

Amendments to the Drawings:

The attached three (3) sheets of drawings include changes to Figures 1A-3. These sheets, which include Figures 1A-3, replace the original sheets including Figures 1A-3.

Attachment: 3 Replacement Sheets

REMARKS/ARGUMENTS

This is a Response to the Office Action mailed September 18, 2006, in which a three (3) month Shortened Statutory Period for Response has been set, and which expired December 18, 2006. Enclosed is our check to cover the fee for a one-month extension of time, to January 18, 2007. Seventeen (17) claims, including two (2) independent claims, were paid for in the application. Claims 1, 5, and 12 are currently amended and claims 4, 8, and 9 are canceled. New claims 19-22 have been added. No new matter has been added to the application. No fee for additional claims is due by way of this Amendment. The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090. Upon entry of the amendments herewith, claims 1-3, 5-7, and 10-22 remain pending.

1. Objections to the Drawings

At paragraph 1 of the Office Action, the Drawings are objected to because the drawings allegedly fail to "show every feature of the invention specified in the claims." Figures 1A-B, 2, and 3 have been amended to reflect the addition of a communication device 70, connection of clock 90 to the control means 10, a power management program 10a, a current/energy cell 80, a recording unit 100 installed in the vehicle 1, a corresponding plug 120 of the electrical supply network 32 that has a ground line 130 for data network 140. Since a single vehicle 1 is illustrated, a plurality of vehicles need not be illustrated since one skilled in the art will appreciate that a plurality of vehicles, such as in the disclosed parking garage, would correspond to a plurality of storage devices 20. Accordingly, Applicant respectfully requests withdrawal of the objection to the Drawings.

Support for the amendments to Figure 1A is found in the originally filed claims 2-3 and 10-12. Further, the Specification is amended herewith to add the language of claims 2-3 and 10-12 into the Detailed Description of the Invention. Accordingly, because the Specification amendments are limited to originally filed matter, no new matter is added by the amendments to the Specification. Adding reference numerals to originally disclosed subject matter does not

constitute new matter because a reference numeral, by itself, is not new matter. Therefore, amending Figure 1A to illustrate originally disclosed subject matter does not add new matter since the additions merely illustrate the originally disclosed subject matter.

More specifically, at page 5, lines 9-11, the Specification is amended by adding the sentence "Accordingly, the vehicle 1 is fitted with a current meter/energy cell 80 which measures the electrical energy received in the storage device 20 and energy fed into the supply network 32." At page 6, lines 19-20, the Specification is amended by adding the sentence "Accordingly, the control means 10 includes a clock 90, or is connected to a clock 90." Finally, at page 11, lines 5-15, the Specification is amended by adding the sentences "Accordingly, embodiments of the vehicle 1 may be fitted with a current meter/energy cell 80 which measures the electrical energy received in the storage device 20 and energy fed into the supply network 32, and a recording unit 100 which establishes when and what amount of electrical energy was charged into the storage device or fed into the electrical supply network. Further, the vehicle 1 may have an electrical connection plug 110 which can be connected to a corresponding connection plug 120 of the electrical supply network 32, wherein the connection plug 120 has a ground line 130, by means of which data of the vehicle 1 can be exchanged by way of a data network 140 of the electrical supply utility and in addition further data can be fed in by way of the data network 140."

Further, other amendments are made to the Specification to correct typographical errors and to add reference numerals so that the application is in better form for publication. Such amendments do not constitute new matter.

Accordingly, 3 sheets of Figures are presented herewith for approval. Applicant respectfully requests entry of the amendments to the Figures and the Specification.

2. Objections to the Claims

At page 3 of the Office Action, claims 2, 3, 7, 8, 9, 11, and 12 were objected to because "there is no illustration of claimed limitations in the drawings." In response to the objection, Figure 1A is amended herewith to illustrate the claimed limitations. Accordingly, Applicant respectfully requests withdrawal of the objection to the Claims.

3. Rejections Under 35 U.S.C. § 112, Second Paragraph

In the Office Action at paragraphs 2-7, claims 5, 9, and 12 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to point out and distinctly claim the subject matter which the applicant regards as the invention. Claims 5 and 12 are amended herewith to remove the objectionable phrases. Accordingly, the rejection to claims 5 and 12 under 35 U.S.C. § 112, second paragraph, should be withdrawn. Claim 9 is canceled without prejudice, waiver, or disclaimer, and therefore, the rejection to this claim is rendered moot. As noted below, a portion of the subject matter of claim 9 is presented in new claim 19, which is a method claim presented in independent format.

4. Acknowledgement of Allowed Claims and Allowable Subject Matter

Applicant acknowledges the Examiner's conclusion that the subject matter of claim 9 is allowable, as noted in paragraph 10 of the Office Action. However, Applicant has canceled claim 9 to overcome other rejections described above.

5. Rejections Under 35 U.S.C. § 103(a)

In the Office Action, at paragraph 9, claims 1-8 and 10-17 apparently stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over *Gore et al.* (U.S. Patent 6,107,691), hereinafter *Gore*, and *Crews* (U.S. Patent 3,904,947), hereinafter *Crews*. It is well-established at law that, for a proper rejection of a claim under 35 U.S.C. §103 as being obvious based upon a combination of references, the cited combination of references must disclose, teach, or suggest, either implicitly or explicitly, all elements and/or features of the claim at issue. See, *e.g.*, *In Re Dow Chemical*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988), and *In re Keller*, 208 U.S.P.Q. 871, 881 (C.C.P.A. 1981).

a. Independent Claim 1

As noted above, the Office Action has indicated that the subject matter of claim 9 is allowable. Claim 1 is amended herewith to include the allowable subject matter of claim 9. Namely, claim 1 is amended to include the feature of "an input means coupled to the control

means for receiving an external trigger and adapted to initiate at least a partial discharge of the electrical energy stored in the electrical energy storage device, which is coupled to the electric power network via the plug connector, in response to the trigger.”

Accordingly, the proposed combination of *Gore* in view of *Crews* does not disclose at least the above-recited limitations of claim 1. Therefore, a *prima facie* case establishing an obviousness rejection by *Gore* in view of *Crews* has not been made. Thus, claim 1 is not obvious under proposed combination of *Gore* in view of *Crews*, and the rejection should be withdrawn.

b. Dependent Claims

Because independent claim 1 is allowable over the cited art of record, dependent claims 2-3, 5-7, and 10-17 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that the dependent claims 2-3, 5-7, and 10-17 contain all features/elements of independent claim 1. See, e.g., *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). That is, since both *Gore* and *Crews* fail to disclose, teach, or suggest the recited features of claims 2-3, 5-7, and 10-17, the proposed combination of *Gore* in view of *Crews* fails to establish a *prima facie* case of an obviousness rejection. Accordingly, the rejection to these claims should be withdrawn.

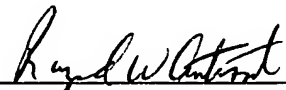
6. Conclusion

Applicant thanks the Examiner for indicating the allowable subject matter of claim 9. In light of the above amendments and remarks, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that all pending claims 1-3, 5-7, and 10-22 are allowable. Applicant, therefore, respectfully requests that the Examiner reconsider this application and timely allow all pending claims. The Examiner is encouraged to contact Mr. Armentrout by telephone to discuss the above and any other distinctions between the claims and the applied references, if desired. If the Examiner notes any

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informalities in the claims, he is further encouraged to contact Mr. Armentrout by telephone to expediently correct such informalities.

Respectfully submitted,
SEED Intellectual Property Law Group PLLC



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RWA:jr

Enclosure:
3 Sheets of Replacement Drawings (Figures. 1A-3)
Second Substitute Specification
Second Redlined Substitute Specification

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